

From,

Amit Kumar Prajapati,  
Additional District & Sessions Judge,  
Court No.-04, Ghaziabad.

To,

**The Registrar General,**  
Hon'ble High Court of Judicature at  
**Allahabad.**

Through,

The Respected District Judge,  
Ghaziabad.

Subject- Representation against adverse remark given on the ACR by the Hon'ble Administrative Judge, Sultanpur for the assessment year 2020-21.

Sir,

With humble submission, I would like to state that the undersigned was transferred by the Notification of Hon'ble High Court in the year 2018 from district court Kannauj to district court Sultanpur as Additional District & Sessions Judge. As Additional District & Sessions Judge, I had performed duties in different courts with integrity and full dedication towards justice, and had completed 03 years normal tenure, successfully. In the year 2018-19 and 2019-20, the then Respected District Judge had not made any kind of Adverse Remark on ACR and the same have been confirmed by the Hon'ble High Court.

In the year 2020-21, when whole Nation was affected by the Covid-19 and all general work as well as judicial work was so badly affected. Undersigned had always worked with full dedication towards justice and did work hard and achieved more units than prescribed by the Hon'ble High Court. Due to Covid pandemic the Hon'ble High Court has issued a Circular Letter No. C-67 1/CF(B)/2021 dated 17.07.2021 that if any judicial officer is unable to complete the prescribed units of work then the District Judge should be sympathetic view in writing the ACR of the concerned judicial officer. In-spite of, The Respected District Judge, Sultanpur had given adverse remarks in different columns of my ACR for the year 2020-21. I had submitted my representation against the aforesaid adverse remark to the Hon'ble High Court, but the then Hon'ble Administrative Judge, Sultanpur without sympathetically considering my representation and without any substantial facts confirmed the adverse remark given by the Respected District Judge, Sultanpur. Therefore, I am submitting this representation against the adverse remark by the then Hon'ble Administrative Judge Sultanpur, which is as under-

1. That, the then Hon'ble Administrative Judge, Sultanpur has confirmed the remark 'poor' given by the Respected District Judge, Sultanpur without justified ground & fact. The Hon'ble Administrative Judge has confirmed the aforesaid remark without considering my representation dated 17.09.2021 and the Circular Letter dated 17.07.2021 to adopt a sympathetic view in writing the ACR of concerned judicial officer. I did Judicial as well as administrative work as allotted to me with due diligence, honesty and punctuality during my tenure at Sultanpur judgeship and never disobeyed the orders of Respected District Judge. During my tenure at Sultanpur judgeship no complaint was received regarding my conduct, behavior, work, towards learned advocates, litigants, Senior or Junior brother and Sister judges

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posted at Sultanpur judgeship. I have followed the directions/orders of Respected District Judge and the Hon'ble High Court in toto with due respect and honour. The judgment which was pronounced by me on the merit of the case is under consideration of Hon'ble High Court in Appeal and the Hon'ble High Court has not made any adverse comments on it, in judicial side. I always respect my Seniors with heart and never disobey their directions. I had done work sincerely, the result of that I had disposed of so many old cases as per directions of the Hon'ble High Court and same was done in Covid-19 period and achieved more units as prescribed. Therefore, in the light of above mentioned facts the remark 'poor' is not justified and it is humbly requested to the Hon'ble High Court to be pleased enough to expunge the remark 'poor' and upgrade other appropriate remark as the Hon'ble High Court may think fit & proper.

2. That, the Hon'ble Administrative Judge, Sultanpur while confirming the adverse remarks given by the Respected District Judge, Sultanpur has not mentioned any ground to prove my integrity 'not certified'. The Respected District Judge, Sultanpur has shown my integrity "highly doubtful" on the basis of oral complaint but the Respected District Judge Sultanpur never transmitted to me in oral or in writing about the complaint or comment made by any learned advocate or litigant towards the integrity of mine to him or the Hon'ble Administrative Judge, Sultanpur or the Hon'ble Allahabad High Court during the assessment year 2020-21. The Respected District Judge, Sultanpur has mentioned only one complaint which pertains to the assessment year 2019-20 and the judgment mentioned in aforesaid written complaint was pronounced on 14.05.2019. During the assessment year 2019-20 my integrity was certified & confirmed by the Hon'ble High Court, therefore, on the basis of only one written complaint in year 2019 to make a question mark on my integrity in assessment year 2020-21 is against the law & principle of natural justice. Therefore, I again bring to your kind notice that during the assessment year 2020-21, neither the Respected District Judge, Sultanpur nor the Hon'ble High Court had informed me about any oral or written complaint against my integrity but by mentioning the oral complaint the Respected District Judge, Sultanpur has given the remark that my integrity is "highly doubtful" and the Hon'ble Administrative Judge, Sultanpur has confirmed the remark as integrity "not certified" which is against the principle of natural justice & Law. Therefore, the comment "integrity not certified" may kindly be expunged and it is humbly prayed to provide the appropriate remark as Hon'ble High Court think fit .

3. That, it is humbly submitted that during the surprise inspection of

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the Respected District Judge Sultanpur other fellow officers were also not present on dais and in this regard, I had submitted my explanation on the basis of true & real facts but Respected District Judge, Sultanpur has not considered and has not paid attention on true facts, which I had mentioned in my humble reply. It is pertinent to mention here that during my tenure in district Sultanpur, there was not a single complaint from the learned advocates or litigants that I was not presiding on dais on time but the Respected District Judge, Sultanpur has put the adverse remarks in my A.C.R. The said adverse remark may kindly be expunged in the interest of Justice.

It is most humbly stated that I have submitted copy of my representation dated 17.09.2021 against the adverse remark of Respected District Judge, Sultanpur to the Hon'ble High Court for kind perusal & sympathetic consideration.

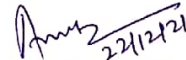
It is most humbly requested that your good self may kindly be pleased to place my representation before the Hon'ble Court.

It is most humbly prayed that the Hon'ble High Court may kindly be pleased enough to consider the facts mentioned above and stated in my earlier representation dated 17.09.2021, sympathetically and expunge the adverse remark written by the Respected District Judge, Sultanpur and the Hon'ble Administrative Judge, Sultanpur. and upgrade the overall assessment which Hon'ble High Court thinks fit.

I shall ever pray to the Hon'ble Court for this grace.

With profound regards.

Yours faithfully,



(Amit Kumar Prajapati)  
Additional District & Sessions Judge,  
Court No.-04, Ghaziabad.  
J.O. Code- UP6330

Annexures:

1. Copy of Representation dated 17-09-2021 against ACR Written by District Judge, Sultanpur bearing Representation ID No.227.
2. Circular Letter of Hon'ble High Court No. C-67 1/CF(B)/2021 dated 17.07.2021
3. Copy of ACR written by Respected District Judge & Hon'ble Administrative Judge, Sultanpur.

Endorsement No.-

Dated 21.12.2021

To,

The Registrar General,  
Hon'ble High Court of Judicature at  
Allahabad.

District Judge,  
Ghaziabad.